



**Robert W. Quinn, Jr.**  
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January 31, 2003

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TWB-204  
Washington, DC 20554

Re: Notice of Ex Parte Presentation  
In the Matter of Review of Section 251 Unbundling Obligations of Incumbent  
Local Exchange Carriers and Implementation of the Local Competition Provisions  
in the Local Telecommunications Act of 1996, CC Docket Nos. 01-338; 96-98;  
98-147

In the Matter of Appropriate Framework for Broadband Access to the Internet  
Over Wireline Facilities, CC Docket Nos. 02-33; 95-20; 98-10

Dear Ms. Dortch,

Yesterday, David Dorman, Chairman of the Board and Chief Executive Officer of AT&T, James Cicconi, General Counsel and Executive Vice President of AT&T, Leonard Cali, Vice President – Law & Director Federal Government Affairs, and I met with Commissioner Kevin Martin and Daniel Gonzalez, Senior Legal Advisor to Commissioner Martin, to discuss matters related to the referenced proceedings. During the course of those discussions, we explained the importance of leaving to the states the granular analysis necessary to conduct impairment analysis in accordance with the dictates of the *USTA* decision. We reiterated that the Commission here find on a nationwide basis that carriers are impaired without access to all UNEs previously identified without limitations or restrictions.

In addition, we emphasized the importance of maintaining unbundling obligations on incumbent providers based upon the services the CLECs seek to offer over those facilities rather than the services the ILEC chooses to offer over a facility. We also underscored the importance of preserving CLEC access to ILEC loop facilities, and

identified operational and cost barriers to competition that would result if CLECs were relegated to copper facilities as ILECs introduce additional fiber into existing loop plant. We argued that it is essential for the Commission to preserve competition in the residential broadband marketplace. We reiterated that competition will drive the Bells to invest in their network, not the elimination of competition.

The positions expressed in the meeting for each of these areas were consistent with those contained in the Comments, Reply Comments and ex parte filings previously made in the aforementioned dockets. One electronic copy of this Notice is being submitted for each of the referenced proceedings in accordance with the Commission's rules.

Sincerely,

A handwritten signature in black ink, reading "Robert W. Quinn". The signature is written in a cursive style with a large, stylized "Q" and a trailing flourish.

cc: Commissioner Kevin Martin  
Daniel Gonzalez